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 WALMART, INC. f/k/a WAL-MART STORES, INC.
 d/b/a WALMART MARKET #4339

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

LUIS BERNARDINO, individually,

Plaintiff,

vs.

WALMART, INC. f/k/a WAL-MART
 STORES, INC. d/b/a WALMART MARKET
 #4339, DOES 1 through 100; and ROE
 CORPORATIONS 1 through 100, inclusive

Defendant.

Case No.: 2:23-cv-00823-JCM-NJK

ORDER TO EXTEND
JOINT PRETRIAL ORDER DEADLINE
(FIRST REQUEST)

Pursuant to LR IA 6-1, the parties, by and through their respective counsel of record,
 hereby stipulate and respectfully request that this Court extend the Joint Pretrial Order deadline
 in the above-captioned matter. Good cause exists to extend the deadline for the reasons outlined
 herein.

A. Case Background.

This case arises from a slip and fall incident from which Plaintiff asserts significant injuries,
 including a neck injury involving a C3-7 decompression and reconstruction surgery, and a right
 shoulder injury that resulted in two surgeries. Plaintiff has continued to treat during this litigation
 and has disclosed over \$717,000 in past medical specials in addition to a future lifecare plan and

1 wage loss.

2 During discovery, the parties participated in an initial mediation with the Honorable
3 Jennifer Togliatti (Ret.) on September 6, 2024. While a settlement was not reached, strides were
4 made. Following the completion of discovery, a Motion for Partial Summary Judgment was filed,
5 after which the parties stipulated to withdraw the Motion for Partial Summary Judgment and
6 certain damages claimed. With discovery now complete, the parties have agreed to attend a second
7 mediation session with the Honorable Jennifer Togliatti (Ret.). Due to high demand, the soonest
8 availability that Judge Togliatti currently has is late August 2025. As such, the mediation has been
9 scheduled to occur on August 25, 2025. The deadline for filing the Joint Pretrial Order is currently
10 May 16, 2025. Given the impending mediation, the parties have agreed that it is in the best interest
11 of all parties, including the Court, that the deadline for filing the Joint Pretrial Order be continued
12 to after the mediation. The good cause basis for such request is outlined below.

13 **B. Reason For the Requested Extension**

14 Due to the impending mediation, good cause exists to continue the deadline for filing the
15 Joint Pretrial Order. Firstly, postponing the deadline will serve judicial economy as it will help to
16 preserve judicial resources while the parties attempt resolution, which is particularly pertinent
17 given that the Joint Pretrial Order and other judicial matters that follow will be rendered moot in
18 the event a settlement is reached. Further, allowing the parties to place their efforts towards
19 resolution rather than on pre-trial matters, including the Joint Pretrial Order and all that comes after
20 it, will aid the parties' settlements efforts as it will help them to conserve litigation costs and
21 resources while focusing on resolution, which will ultimately help to serve judicial economy and
22 preserve judicial resources in the event a settlement is reached. Moreover, information obtained
23 during the mediation may impact various aspects of trial, including information in the joint pretrial
24 order. Ultimately, the additional requested time will allow the parties to participate in a second
25 mediation in good faith and without incurring additional trial preparation fees and costs and
26 without performing work on matters, including the Joint Pretrial Order, that may be rendered moot
27 in the event a settlement is reached, which will be in the best interest of all involved, including the
28 Court.

C. Proposed Revised Pretrial Order Schedule

The Joint Pretrial Order is due on May 16, 2025, and the parties are requesting an extension moving the deadline to **September 25, 2025**. This request for an extension of time is not sought for any improper purpose or other purpose of delay. Rather, it is sought by the parties in good faith solely for the purpose of allowing the parties to participate in a second mediation scheduled for August 25, 2025. The parties respectfully submit that the reasons set forth above constitute compelling reasons and good cause for the extension.

WHEREFORE, the parties respectfully request that this Court extend the deadline for submitting their Joint Pretrial Order from the current deadline as outlined above.

Dated May 13, 2025.	Dated May 13, 2025.
BURGER, MEYER & D'ANGELO, LLP	NAQVI INJURY LAW
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<u>/s/ Susan E. Gillespie</u>	<u>/s/ Elizabeth E. Coats</u>
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UNITED STATES MAGISTRATE JUDGE

Dated: May 14, 2025